



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

March 19, 2024

MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, District I
Mr. Matthew Durham, Chairman, District II
Mr. Don Mize, Vice Chairman, District III
Mr. Julian Davis III, District IV
Mr. Glenn Hart, Chairman Pro Tem, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, & Jennifer C. Adams, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Norm Cannada / The Journal, Dick Mangrum / 101.7 WGOG

Call to Order

Mr. Durham called the meeting to order at 6:12 p.m.

Moment of Silence

Mr. Durham asked for a moment of silence prior to the Invocation.

Invocation

Mr. David Root, County Attorney, gave the invocation.

Pledge of Allegiance

Mr. Hart led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Davis made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the March 5, 2024 regular meeting minutes as presented.

Attorney's Comments

None at this meeting.

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Administrator's Comments

None at this meeting.

Public Comment Session

If you are not able to attend in person and you have a comment, you may submit it by contacting our Clerk to Council, Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023, so that she may receive your comment and read it into the record.

1. Ms. Sharon DeRidder addressed Council with her concerns related to the proposed residential development on HWY 130 and urged Council for better development standards related to residential development in Oconee County.
2. Mr. Jeff Jones expressed his wishes that Oconee County have better oversight and control on large developments.
3. Mr. James Mann addressed Council in opposition to the \$25 million-dollar GO Bond. [A copy of this statement provided by Mr. Mann is filed in the backup materials.]
4. Mr. John Morrey addressed Council with his opinions as to what areas Council should address during the formation of the FY2024-2025 budget.
5. Mr. Frankie Pearson urged Council to update Oconee County development standards.

Council Members Comments

Mr. Elliott noted he was in agreement with Ms. DeRidder's opinion related to development standards.

Mr. Durham expressed his opinion related to increased residential development in Oconee County and stated that "whatever we do affects the least amongst us", noting caution must be taken with restrictions on residential development.

Mr. Durham went on to address Mr. Morrey's and his opinions as to where Council should focus their efforts when forming the FY2024-2025 budget.

Mr. Durham then addressed Mr. Mann's concerns related to the GO bond and went on to add comments related to the campaigns and actions of Ms. India Lancaster, who is running for the District II County Council seat, and Mrs. Gwen McPhail, who is running for the District V County Council seat.

Mr. Elliott inquired from County Attorney, Mr. Root, if political partisan activity was illegal in Council Chambers.

Mr. Root responded that, yes, it is illegal according the Oconee County Code of Ordinances, Section 2-61 C, then read that section aloud, noting that it was not his (Mr. Root) office to stop, it is Council Chair's office to stop this sort of activity.

Mr. Durham noted his opinion that there is an obligation to correct misinformation when it is presented.

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Public Hearings for the Following Ordinances *If you would like to be heard during either of the public hearings, please contact Clerk to Council Jennifer C. Adams at jennifercadams@oconeesc.com or 864-718-1023 so that your participation may be coordinated.*

ORDINANCE 2024-11 AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE 2023-16, WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND PROVIDED FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE PARKS, RECREATION, AND TOURISM CAPITAL PROJECTS FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, AND FOR THE CREATION OF THE FIRE / EMERGENCY SERVICES CAPITAL VEHICLE AND EQUIPMENT FUND, THE COMMUNITY HEALTH AND COMMUNITY SERVICES FUND, AND THE GENERAL ONE TIME CAPITAL FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024, IN ORDER TO EFFECT SUPPLEMENTAL APPROPRIATIONS; AND OTHER MATTERS RELATED THERETO.

Mr. Durham opened the floor for Public Comment.

Noting that no citizens signed up to address Council, Mr. Durham closed Public Hearing regarding **Ordinance 2024-11**.

Mr. Davis reminded Mr. Durham it is custom to open the floor for any citizen that wished to speak that had not signed up to speak before the meeting started.

Mr. Durham thanked Mr. Davis for the reminder.

Mr. Durham closed the Public Hearing regarding **Ordinance 2024-11**.

Third Reading of the Following Ordinances

None for this meeting.

Second Reading of the Following Ordinances

ORDINANCE 2024-04 AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ESTABLISHMENT OF A COMMERCIAL JUNKYARD ORDINANCE, TO BE ENTITLED “COMMERCIAL JUNKYARDS”; AND OTHER MATTERS RELATED THERETO.

Mr. Mize made a motion, seconded by Mr. Elliott, approved 3 – 1 [Mr. Davis opposed; Mr. Hart recused] [copy of recusal filed in backup], to approve **Ordinance 2024-04** on second reading.

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ORDINANCE 2024-09 AN ORDINANCE AUTHORIZING THE CONVEYANCE OF EASEMENT RIGHTS TO THE OCONEE JOINT REGIONAL SEWER AUTHORITY FOR THE PURPOSE OF SEWER INFRASTRUCTURE CONSTRUCTION AND MAINTENANCE AT THE SENACA RAIL PARK; AND OTHER MATTERS RELATED THERETO.

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 - 0, to approve **Ordinance 2024-09** on second reading.

ORDINANCE 2024-11 AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE 2023-16, WHICH ESTABLISHED THE BUDGET FOR OCONEE COUNTY AND PROVIDED FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE PARKS, RECREATION, AND TOURISM CAPITAL PROJECTS FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, FOR THE CAPITAL VEHICLE / EQUIPMENT FUND, AND FOR THE CREATION OF THE FIRE / EMERGENCY SERVICES CAPITAL VEHICLE AND EQUIPMENT FUND, THE COMMUNITY HEALTH AND COMMUNITY SERVICES FUND, AND THE GENERAL ONE TIME CAPITAL FUND, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024, IN ORDER TO EFFECT SUPPLEMENTAL APPROPRIATIONS; AND OTHER MATTERS RELATED THERETO.

Mr. Mize made a motion, seconded by Mr. Hart, to approve **Ordinance 2024-11** on second reading.

Mr. Elliott inquired if this reading was second reading for **Ordinance 2024-11**.

Mr. Root noted that two public hearings are held for ordinances that are related to budgeting.

Motion approved 5 – 0.

ORDINANCE 2024-12 AN ORDINANCE AUTHORIZING THE CONVEYANCE OF EASEMENT RIGHTS TO CENTRAL ELECTRIC POWER COOPERATIVE, INC. FOR THE PURPOSE OF UTILITY INFRASTRUCTURE CONSTRUCTION AND MAINTENANCE AT THE SENACA RAIL PARK; AND OTHER MATTERS RELATED THERETO.

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 - 0, to approve **Ordinance 2024-12** on second reading.

First Reading of the Following Ordinances

None for this meeting.

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First & Final Reading for the Following Resolutions

RESOLUTION 2024-05 A RESOLUTION CONSENTING TO AND RATIFYING THE ASSIGNMENT AND ASSUMPTION OF A FEE IN LIEU OF TAX AGREEMENT BY AND BETWEEN INLAND REAL ESTATE ACQUISITIONS, LLC, EPOCH STUDENT HOUSING DST (FORMERLY KNOWN AS ALT STUDENT HOUSING I DST), AND OCONEE COUNTY, SOUTH CAROLINA, AND CONSENTING TO THE LEASE OF THE PROPERTY SUBJECT TO THE FEE IN LIEU OF TAX AGREEMENT BETWEEN EPOCH STUDENT HOUSING DST AND EPOCH STUDENT HOUSING LEASECO, L.L.C. (FORMERLY KNOWN AS ALT STUDENT HOUSING I LEASECO, L.L.C.); AND OTHER RELATED MATTERS.

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 - 0, to approve **Resolution 2024-05** on first and final reading.

Discussion Regarding Action Items

Procurement #: ITB 23-12

Department: Rock Quarry

Title: Vertical Dump Hopper with Support Structure

Amount: \$743,605.00

10% Contingency: \$74,360.50

Total: \$817,965.50

Procurement was approved in the FY23-24 budget.

Budget: \$904,789.58 Project Cost: \$817,965.50 Balance: \$86,824.08

The Oconee County Rock Quarry's existing crushing plant is currently loaded from the pit using a wheel loader. The addition of a gravity fed vertical dump hopper with support structure would eliminate the need for this step. The existing Sandvik Jaw (UJ640) will back underneath the dump hopper structure and will allow haul trucks to dump directly into the vertical hopper; which would feed the crushing plant.

The purchase of the gravity fed vertical hopper would eliminate the need for one (1) equipment operator to load the crushing plant with a wheel loader. The equipment operator would be moved to the loading yard. The demand for rock has increased, resulting in extended customer load wait times. Currently, the Rock Quarry has two (2) equipment loaders assigned to the loading yard. By adding an additional equipment operator to the loading yard, customer wait times will be reduced.

On February 20, 2024, formal sealed bids were opened for a vertical dump hopper with support structure. This solicitation was advertised in South Carolina Business Opportunities (SCBO) and local news publication. Three (3) companies were originally notified of this bid opportunity. Two companies submitted bids, with TCI Manufacturing & Equipment Sales, Inc. of Walnut, IL submitting the lowest, responsive bid of \$743,605.00.

The Quarry is requesting a 10% owners' contingency, in the amount of \$74,360.50, for unforeseen issues.

It is the staff's recommendation that Council approve the award of ITB 23-12 TCI Manufacturing & Equipment Sales, Inc. of Walnut, IL, in the amount of \$743,605.00, and a 10% contingency, in the amount of \$74,360.50; for a total award of \$817,965.50.

Mr. Hart made a motion, seconded by Mr. Mize, approved 5 - 0, to approve the award of ITB 23-12 TCI Manufacturing & Equipment Sales, Inc. of Walnut, IL, in the amount of \$743,605.00, and a 10% contingency, in the amount of \$74,360.50; for a total award of \$817,965.50.

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Discussion regarding the acceptance of Rosedale Way (P-4313) for maintenance and incorporation into the Oconee County public road system.

On February 20, 2024, the Transportation Committee of County Council, in meeting duly convened, voted to send to the full County Council the issue of accepting Rosedale Way (currently a private road) for maintenance and incorporation into the Oconee County public road system. Rosedale Way was constructed and paved in the winter of 2020. The developers have requested the County accept the road for County maintenance and incorporation into the Oconee County public road system, in accordance with Oconee County Code of Ordinances Section 26-6. See also Section 32-212. The developer’s engineer provided as-built drawings and has certified that the roads were built as designed and consistent with County Ordinances. If approved the following will be required:

- Proper and sufficient right-of-way easement(s) deeded to Oconee County;
- Payment of inspection fees

Rosedale Way is approximately 998 feet in length or 0.19 miles. The roadway is three years old. Current estimate per mile for roadway maintenance is approximately \$8,420.

It is staff’s recommendation that Council consider the acceptance of Rosedale Way (P-4313) for maintenance and incorporation into the Oconee County public road system.

Mr. Hart made a motion, seconded by Mr. Davis, approved 5 - 0, approving the consideration of acceptance of Rosedale Way (P-4313) for maintenance and incorporation into the Oconee County public road system.

Council Committee Reports

Budget, Finance & Administration / Mr. Elliott March 05,2024

Mr. Elliott provided information outlining discussions held at the March 5, 2024 Budget, Finance and Administration Committee meeting.

Board & Commission Appointments

Agriculture Advisory Board

District IV seat: 1 questionnaire on file for this seat.

No nominations were made by Mr. Davis at this meeting.

Conservation Bank Board

1 At-Large seat: No questionnaires on file for this seat.

Executive Session

Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, to enter into Executive Sessions for the following purposes, as allowed for § 30-4-70(a) of the South Carolina Code of Laws:

1. *Receive legal advice regarding a potential litigation matter.*
2. *Discussion regarding an economic development matter, Project Mayflower.*
3. *Discussion regarding an economic development matter, Project Sharp.*
4. *Receive legal advice in relation to code enforcement prosecution.*

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5. *Discussion regarding a personnel matter related to the Sheriff's Office.*

Council entered into Executive Session at 6:45 p.m.

Council returned from Executive Session at 7:59 p.m. on a motion made by Mr. Elliott, seconded by Mr. Hart, approved 5 – 0.

As requested by Ms. Brock, Mr. Davis made a motion, seconded by Mr. Hart, approved 5 – 0, for Council approval for plan amendment as required for the extension of FMLA until receipt of necessary documentation.

Adjourn:

Mr. Elliott made a motion, approved unanimously, to adjourn at 7:59 p.m.

Respectfully Submitted:

Jennifer C. Adams
Clerk to Council

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